

**Teresa D. Harper, Presiding Judge  
Division IX**

**Monroe Circuit Court**

The Zietlow Justice Center  
301 North College Avenue  
Bloomington, Indiana 47404-3865  
(812) 349-2615

E. Michael Hoff, Judge  
Division I

Kenneth G. Todd, Judge  
Division III

Mary Ellen Diekhoff, Judge  
Division V

Stephen R. Galvin, Judge  
Division VII

Marc R. Kellams, Judge  
Division II

Elizabeth A. Cure, Judge  
Division IV

Frances G. Hill, Judge  
Division VI

Valeri Haughton, Judge  
Division VIII

Bret Raper, Commissioner

***NOTICE TO THE BAR***

**TO:** Monroe County Bar  
**FROM:** Monroe Circuit Court  
**RE:** Proposed Changes in Local Rules  
**DATE:** May 30, 2014

The Monroe Circuit Court Board of Judges hereby gives notice to the bar and the public that the Court proposes to amend the Local Rule(s) of Monroe County. The Caseload Allocation Rule and the Bail Bond Schedule will be effective upon signature and the others will be effective January 1, 2015. All new text is shown by underlining and deleted text is shown by ~~striking through~~.

In accordance with Trial Rule 81, the time period for the bar and public to comment shall begin on June 1, 2014 and shall close July 1, 2014. Comments may be made to Bonnie Austin, Monroe Circuit Court, 301 N. College Avenue, Bloomington, IN 47404 or email comments to [baustin@co.monroe.in.us](mailto:baustin@co.monroe.in.us). Proposed amendments to the rule will be adopted, modified or rejected before July 31, 2014 and the final version of the rules will be submitted to the Indiana Supreme Court for review and approval no later than August 1, 2014.

In addition, complete rule language is available for review on the Monroe County Local Rules section of the Indiana Judiciary website <http://www.in.gov/judiciary/2918.htm>, Monroe Circuit Court website <http://www.co.monroe.in.us/tsd/Justice/CircuitCourt.aspx> and a copy posted in the Monroe Circuit Clerk's office.

(See attached list of all the proposed to changes to the Monroe Circuit Court Local Rules.)

***DR20-AR03-0001 ADMINISTRATIVE DISTRICT LEADERSHIP***

- A. Executive Committee. The Administrative District Executive Committee shall serve as the governing authority of the Administrative District.
- B. Selection of Executive Committee.
  - 1. Local County Representatives. Each county shall select a Judicial Officer to represent that County on the Administrative District Committee. However, should a judge serve on the Board of Directors of the Indiana Judicial Conference as at-large appointee by the Indiana Supreme Court, that judge shall serve as the county representative.
  - 2. Term of Service.
    - a. Each County Representative shall serve on the Executive Committee for a term of three (3) years and for a maximum of no more than two (2) complete terms, without a break in service.
    - b. Each County Representative's term of service shall begin on January 1, and shall continue until her/his successor has been selected.
  - 3. Initial Term of Service. In order to ensure that terms of service on the Executive Committee are staggered, the initial terms of service are hereby established as follows:
    - a. Greene County. The Greene County Representative shall serve an initial term of one (3) year, which initial term shall terminate on or about December 31, 2015. At the discretion of the Executive Committee, the term of service for the Greene County Representative need not include the initial term of service.
    - b. Lawrence County. The Lawrence County Representative shall serve an initial term of two (2) years, which initial term shall terminate on or about December 31, 2014. At the discretion of the Executive Committee, the term of service for the Lawrence County Representative need not include the initial term of service.
    - c. Monroe County. The Monroe County Representative shall serve an initial term of two (2) years, which initial term shall terminate on or about December 31, 2014.
    - d. Owen County. The Owen County Representative shall serve an initial term of three (3) years, which initial term shall terminate on or about December 31, 2015.
- C. Chair of the Executive Committee.
  - 1. No later than February 1 of each year, the Members of the Executive Committee shall select one (1) of their number to serve as the Chair.
  - 2. The Chair shall serve a term of one (1) year, which may be renewed.
  - 3. Chair of the Executive Committee shall schedule and preside over the meetings of the Executive Committee.
  - 4. The Chair of the Executive Committee shall serve as the Representative to the Indiana Judicial Conference Board of Directors. The Chair is responsible for the distribution of materials from the Indiana Judicial Conference to the Executive Committee and for the compilation of comments and concerns of the District's judges. This provision shall initially take effect at the conclusion of the Annual Meeting of the Indiana Judicial Conference/Board of Directors meeting on or about September 20, 2014, and shall continue thereafter in compliance with I.C. 33-38-9-4.
- D. Meetings of the Executive Committee.
  - 1. The Executive Committee shall meet at least two (2) times per year.
  - 2. The meetings shall occur no later than April 30 and October 30 of each year.
  - 3. Attendance at meetings via electronic or telephonic means is acceptable.

**EFFECTIVE DATE.**

Subject to the approval of the Indiana Supreme Court, these Administrative District Rules become effective upon their approval.

**LR53-AR00-0108 CASELOAD ALLOCATION**

Updated 1-1-15

A. Procedure. The Board of Judges shall:

1. Review and comply with current caseload allocation orders of the Indiana Supreme Court.
2. Review and assess literature from the Indiana State Bar Association, the American Bar Association, and the National Center for State Courts.
3. Review and consider suggestions made by the Monroe County Bar, the Prosecuting Attorney, and the Public Defender.
4. Review and analyze the statistics on current workload and caseflow within the Monroe Circuit Court.
5. Analyze whether the current allocation is providing quality public service. There shall be a presumption in favor of the current allocation in order to preserve public confidence in the system, promote stability for the employees of the court system, and avoid inefficient use of personnel, time, and resources to effectuate change. Caseload allocation shall be determined by judicial seniority.

B. Implementation. The Clerk of Monroe County shall maintain a random filing system, by computer or otherwise, implementing the caseload allocation approved by the Board of Judges. If the caseload allocation is changed by order of the Board of Judges, the Presiding Judge shall forward the amended allocation to the Clerk of the Supreme Court and Court of Appeals, the State Court Administrator, the Clerk of the Monroe Circuit Court, and the President of the Monroe County Bar Association. The current allocation is as follows:

1. Case Assignment.

The Clerk shall assign cases as from time to time directed by the Board of Judges.

- a. The Clerk shall randomly assign all murder, A, B, C, D, **Level I, Level II, Level III, Level IV, Level V, Level VI** felony and misdemeanor cases to Divisions II, III, V, and IX.
- b. Domestic relations cases shall be ~~assigned randomly~~ **randomly assigned** to Division I, IV, VI and VIII, *unless consolidated with an active protection order case as provided in ~~section~~ **paragraph c**.*
- c. Protective ~~Order~~ cases shall be randomly assigned to Division I, IV, VI, and VIII. If however; the parties ~~of~~ **to** the ~~p~~**Protection Order case** have an active or closed ~~d~~**Domestic Relations (DR)** case or an active ~~e~~**Child in nNeed of sServices (CHINS)** case, the ~~p~~**Protection Order case** will be assigned to the Division with the DR or CHINS case. Domestic ~~r~~**Relations** cases shall be assigned to the Division with an active ~~p~~**Protection Order** case involving the same parties
- d. ~~The Clerk shall randomly assign Civil~~ **Tort, Civil Plenary, Civil Collection and Mortgage Foreclosure** cases **shall be randomly assigned** to Division I and to Division VI.

- e. Juvenile ~~d~~Delinquencies, ~~j~~Juvenile ~~s~~Status, ~~j~~Juvenile ~~m~~Miscellaneous resulting from delinquent acts, ~~j~~Juvenile ~~p~~Paternity, ~~a~~Adoptions, ~~m~~Mental ~~h~~Health and ~~g~~Guardianship cases shall be assigned to Division VII.
  - f. Juvenile CHINS, ~~j~~Juvenile ~~m~~Miscellaneous filed by the Office of Family and Children, and ~~j~~Juvenile ~~t~~Terminations shall be assigned to Division VII.
  - g. Estate **and Trust** cases shall be assigned to Division I
  - h. Small ~~e~~Claims cases shall be randomly assigned 50% to Division IV and 50% to Division VIII.
  - i. Infraction cases shall be randomly assigned.
  - j. Reciprocal ~~s~~Support **and Civil Miscellaneous** cases shall be assigned to Divisions I, IV, VI, and VIII.
  - k. A redocketed case bearing a 1992 or earlier cause number shall be assigned to the court of original jurisdiction if that division in the reallocation of cases is assigned that case type, otherwise it will be randomly assigned to a division with that jurisdiction.
  - l. A redocketed case bearing a 1993 or later cause number shall be assigned to the court of original jurisdiction if that division in the reallocation of cases is assigned that case type, otherwise it will be randomly assigned to a division with that jurisdiction.
  - m. The Clerk shall use the related case function in the Odyssey Case Management System in ~~p~~Protection ~~o~~Order (PO) and ~~j~~Juvenile ~~p~~Paternity (JP) cases involving the same parties to facilitate coordination, consistency, and efficiency within judicial orders.
  - n. The Clerk shall use the related case function in the Odyssey Case Management System if an active CHINS case pending in Division VII involves the same parties to a new or pending ~~d~~Domestic ~~r~~Relations, **Reciprocal sSupport**, or ~~e~~ustody case **Protective Order cases**.
2. **Case Re-filed**. If a case is dismissed without prejudice on a plaintiff's motion and the same case is subsequently re-filed by a plaintiff, the re-filed case shall be assigned to the same Division of the Monroe Circuit Court in which the dismissed case was originally filed providing that division is overseeing that case type. If that division is no longer hearing that case type, then the Clerk will randomly assign that case to a division with jurisdiction. "Same case" shall mean substantially the same cause of action, arising out of the same transaction or occurrence, and between substantially the same parties. If such a re-filed case is not initially re-filed in the same division of the Monroe Circuit Court, then upon motion of any party or Court, it shall be transferred to the Division of the Monroe Circuit Court in which ~~is~~ **it** was originally filed.
  3. **Case Recusal Change of Judge**. ~~The Court Reporter shall notify the Clerk of the cases in which judges recuse themselves. When a judge disqualifies and recuses in a case pursuant to Trial Rule 79 (C), the clerk shall randomly reassign the case to another Division currently receiving new filings of that case type pursuant to Caseload Allocation Rule LR 53-AR00108. Credit will be provided to the new division assigned.~~ **When a special judge must be appointed in accordance with Trial Rule 79 (H), the case shall be randomly reassigned to another division of the court currently receiving new filings of that case type pursuant**

**to Caseload Allocation Rule LR 53-AR00108. Juvenile CHINS, Juvenile Termination of Parental Rights and Adoption cases shall be reassigned to Division VI. Estate and Trust cases shall be reassigned to Division VII. Juvenile Status, Juvenile Miscellaneous, Juvenile Paternity, Mental Health and Guardianship cases shall be reassigned to Division IV. Juvenile Delinquency cases shall be reassigned to Division VIII.**

**The Court Reporter shall notify the Clerk of the need for reassignment in accordance with District Rule DR 20-TR79-000.**

C. Case Consolidation.

1. Civil cases. Civil cases filed against different defendants that arise out of the same occurrence, or multiple cases filed against the same defendant may be consolidated and assigned to the division with the oldest case number.
2. Criminal cases. All criminal cases against a defendant shall be consolidated in the Division with the oldest pending case number. A new case shall be filed in that Division, or transferred to that Division. Pending cases include defendants on Probation and in the Pre-Trial Diversion Program.

~~C.~~ **D. Case Transfer.**

1. Nothing in this Rule shall preclude the transfer of case from one Division of the Circuit Court to another Division to promote efficiency and provide for timely resolution of cases. Upon transfer, credit will be given to the new Division assigned by the Odyssey Case Management System.

***LR53-FL00-0402 ALTERNATIVE DISPUTE RESOLUTION:***

Updated 1-1-15

A. Mediation is a preferred way to resolve family law issues. Parties shall attend mediation before any of the following contested court hearings, unless excused by the court:

1. final hearings;
2. post-decree hearings about child custody or parenting time.

~~€~~B. Parties may either select a mediator by agreement or ask the court to appoint a panel of mediators.

~~Đ~~C. Parties of limited means may request the service of the Family Court Mediation Program. Nominal charges for this program are assessed on a sliding fee scale, based upon income.

~~£~~D. This rule does not require mediation of contempt motions that allege the failure to pay child support or interference with court ordered parenting time.

~~€~~E. A party may request to be excused from mediation in cases involving domestic violence, or for other good reason.

***LR53-AR00-0123 LONGEVITY FORMULA FOR COURT STAFF***

Updated 1-1-15

The effective date for longevity is the date an individual began full-time employment with the County. People cannot go back and claim days that would be affected by interrupted service. All records must be verified by the Auditor's Office. Longevity pay is based on the following schedule of complete and uninterrupted years of service:

<u>YEARS</u>	<u>AMOUNT</u>
>1	\$ 0
1	200
2	400
5	600
10	800
15	1,200
20	1,400
25	1,700
30	2,000
<b><u>35</u></b>	<b><u>2,300</u></b>

**LR53-AR15-0132 TRANSCRIPTS**

Updated 1-1-15

A. Definitions. The following definitions shall apply under this local rule:

1. A ***Court Reporter*** is a person who is specifically designated by a court to perform the official court reporting services for the court including preparing a transcript of the record in a given case before the court.
2. ***Equipment*** means all physical items owned by the court or other governmental entity used by a court reporter in performing court reporting services. Equipment shall include, but not be limited to, telephones, computer hardware, software programs, disks, tapes and any other device used for recording, storing, and transcribing electronic data.
3. ***Work space*** means that portion of the court's facilities dedicated to each court reporter, including but not limited to, actual space in the courtroom and any designated office space.
4. ***Page*** means the page unit of transcript which results when a recording is transcribed in the form required by Indiana Rule of Appellate Procedure 7.2.
5. ***Recording*** means the electronic, mechanical, stenographic, or other recording made as required by Indiana Rule of Trial Procedure 74.
6. ***Regular hours worked*** means those hours which a division of the court is regularly scheduled to work during any given work week. Depending on the schedule of the court and its flex schedule for court reporters, these hours may vary from division to division of the court, within the county but remain the same for each work week.
7. ***Gap hours worked*** means those hours worked that are in excess of the regular hours worked but hours not in excess of 40 hours per work week.
8. ***Overtime hours*** means those hours worked in excess of 40 hours per work week.
9. ***Work week*** means a 7 consecutive day week defined by the County's payroll schedule which consistently begins and ends on the same day throughout the year; i.e. Sunday through Saturday, Wednesday through Tuesday, or Friday through Thursday.
10. ***Court*** means the Monroe Circuit Court and Division means the particular division of the Court for which the court reporter performs services. Court may also mean all of the divisions of the Monroe Circuit Court.
11. ***County indigent transcript*** means a transcript that is paid for from county funds and is for the use on behalf of a litigant who has been declared indigent by a court.
12. ***State indigent transcript*** means a transcript that is paid for from state funds and is for the use on behalf of a litigant who is declared indigent by a court.
13. ***Private transcript*** means a transcript, including but not limited to, a deposition transcript that is paid for by a private party. A transcript required within 14 days of the request is a category 1 expedited private transcript. A transcript required within 30 days of the request is a category 2 expedited private transcript. A transcript required within 45 days of the request is a category 3 expedited private transcript.



14. **Volume** applies to Appellate Court bound transcripts. Each volume is to be limited to 250 pages. The table of contents is to be a separate volume and the exhibits are to be included in a separate bound volume (or volumes if more than 250 pages).

B. Section Two. Salaries and Per Page Fees.

1. Court Reporters shall be paid an annual salary for time spent working under the control, direction and direct supervision of their supervising Judge during any regular work hours, gap hours or overtime hours. The Monroe Circuit Court shall enter into a written agreement with the court reporters which outlines the manner in which the court reporter is to be compensated for gap and overtime hours; i.e. monetary compensation or compensatory time off regular work hours.
2. The maximum per page fee a court reporter may charge for the preparation of a routine county indigent transcript shall be ~~\$3.00~~ **\$3.50**. The court reporter shall submit a claim directly to the county for the preparation of any county indigent transcripts. The court reporter shall not charge a fee for copies of an indigent transcript when the preparation of same has already been paid by the county. The court reporter shall not charge for copies of a prepared indigent transcript requested by a Court appointed entity (i.e. CASA, GAL) when the preparation of same has already been paid by the county.
3. The maximum per page fee a court reporter may charge for the preparation of a non-appellate state indigent transcript shall be ~~\$3.00~~ **\$3.50**.
4. The maximum per page fee a court reporter may charge for the preparation of a non-appellate private transcript shall be ~~\$4.00~~ **\$4.50**. The per page fee a court reporter may charge for a copy of a prepared transcript shall be \$2.00. The maximum per page fee a court reporter may charge for the preparation of a category 1 expedited private transcript shall be ~~\$7.50~~ **\$8.00**. The maximum per page fee a court reporter may charge for the preparation of a category 2 expedited private transcript shall be ~~\$6.50~~ **\$7.00**. The maximum per page fee a court reporter may charge for the preparation of a category 3 expedited private transcript shall be ~~\$5.50~~ **\$6.00**. Category 1, category 2 and category 3 expedited private transcripts are defined in Section 1, definition #13.
5. Each court reporter shall report, at least on an annual basis, all transcript fees received for the preparation of county indigent, state indigent, or private transcripts to the Indiana Supreme Court Division of State Court Administration. The reporting shall be made on forms prescribed by the Division of the State Court Administration.

C. Section Three. Private Practice.

1. If a court reporter elects to engage in private practice by recording a deposition and/or preparing a deposition transcript, outside of and in addition to his or her official duties for the court, and the court reporter desires to utilize the court's equipment, work space and supplies, and the court agrees to the use of the court equipment for such purpose, the court and the court reporter shall enter into a written agreement which must, at a minimum, designate the following:
  - a. The reasonable market rate for the use of equipment, work space and supplies;
  - b. The method by which records are to be kept for the use of equipment, work space and supplies; and
  - c. The method by which the court reporter is to reimburse the court for the use of the equipment, work space and supplies.

2. If a court reporter elects to engage in private practice though the recording of a deposition and/or preparing of a deposition transcript, all such private practice work shall be conducted outside of regular working hours.

D. Section Four. Appellate Court Transcripts.

1. The maximum per page a court reporter may charge for the preparation of an appellate indigent transcript is ~~\$3.50~~ **\$4.00**.
2. The maximum per page fee a court reporter may charge for the preparation of an appellate private transcript shall be ~~\$4.50~~ **\$5.00**.
3. A minimum fee of \$35.00 per transcript may be charged for small transcripts but not in addition to the per page fee.
4. The Index and Table of Contents shall be charged at the same per page rate as the body of the transcript.
5. Labor charge may be assessed at the same rate as the Official Court Reporter's hourly salary for time spent binding the transcript and exhibits.
6. In addition, a reasonable market rate for office supplies may be charged for private appellate transcripts as designated in the Schedule of Supplies.

**LR53-CR00-0310 BAIL BOND SCHEDULE**

IN THE CIRCUIT COURT  
FOR THE COUNTY OF MONROE AND STATE OF INDIANA

ORDER ESTABLISHING BAIL SCHEDULE

Pursuant to the provisions of IC 35-33-8-4, the Circuit Court of Monroe County, Indiana, enters the following order establishing the amount of bail for those persons charged with the commission of criminal offenses by information; arrest on probable cause, or indictment.

**IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED** by the Court that effective immediately and until further order of the Court, bail shall be as follows for all individuals charged with the commission of criminal offenses in the Monroe Circuit Court:

**SECTION 1.**

**FELONIES (Offenses committed prior to July 1, 2014)**

- A. For a person charged with murder or attempted murder, a person who is a sexually violent predator under IC 35-38-1-7.5, and who is arrested or charged with the commission of an offense that would classify the person as a sex or violent offender as defined by IC 11-8-8-5, or for a person charged with Child Molesting or Child Solicitation, no bail shall be set except by a judge at a preliminary hearing;
- B. For a person charged with being a habitual offender; bail shall be \$50,000 surety and \$500 cash, or a habitual substance offender; bail shall be \$25,000 surety and \$500 cash;
- C. For any Class A felony offense, bail shall be \$50,000 surety and \$500 cash;
- D. For any Class B felony offense, bail shall be \$20,000 surety and \$500 cash;
- E. For any Class C felony offense, bail shall be \$5,000 surety and \$500 cash;
- F. For any Class D felony offense, bail shall be \$2,000 surety and \$500 cash.

**FELONIES (Offenses committed after June 30<sup>th</sup>, 2014)**

- A. **For a person charged with murder or attempted murder, a person who is a sexually violent predator under IC 35-38-1-7.5, and who is arrested or charged with the commission of an offense that would classify the person as a sex or violent offender as defined by IC 11-8-8-5, or for a person charged with Child Molesting or Child Solicitation, no bail shall be set except by a judge at a preliminary hearing;**
- B. **For a person charged with being a habitual offender in Levels 1 through 4, bail shall be \$20,000 surety, in addition to the bail amount for the highest level of felony charged; and for Levels 5 & 6 bail shall be \$10,000 surety, in addition to the bail amount for Levels 5 or 6.**

- C. **For any Level 1 felony offense, bail shall be \$50,000 surety and \$500 cash;**
- D. **For any Level 2 felony offense, bail shall be \$30,000 surety and \$500 cash;**
- E. **For any Level 3 felony offense, bail shall be \$15,000 surety and \$500 cash,**
- F. **For any Level 4 felony offense, bail shall be \$10,000 surety and \$500 cash;**
- G. **For any Level 5 felony offense, bail shall be \$5,000 surety and \$500 cash,**
- H. **For any Level 6 felony offense, bail shall be \$2,000 surety and \$500 cash.**

## **SECTION II. MISDEMEANORS**

- A. Any person arrested for a misdemeanor offense other than battery, domestic battery, invasion of privacy, resisting law enforcement, possession of a handgun without a license, operating a vehicle while intoxicated operating with either a .08 or .15 ACE<sub>2</sub> or dealing marijuana or hashish, shall be released from jail to appear in court on that person's own recognizance, subject to the following conditions:
  - 1. At the time such a person is released on recognizance, the person shall be required to furnish a present residential and mailing address, telephone number, social security number, and employer's name and address. The identifying data of any full-time or part-time student at Indiana University – Bloomington shall include a student's permanent address and telephone number as well as the student's local address and telephone number.
  - 2. If the person arrested is under 21 years of age, the information shall also include parents' names, addresses, and telephone numbers.
  - 3. If the person agrees to provide the data required in Section II, A (1), but is unable to provide a social security number, driver's license, photo identification card, or employer information, the person may be released to the custody of a resident of Monroe County over 18 years of age who can provide such data on themselves.
  - 4. Upon **the inability or** refusal to provide the information required under this Section, the person shall be held until brought before a judge.
- B. A person shall not be released on recognizance if the person:
  - 1. Has any conviction within the last 5 years;
  - 2. Has failed to appear in any court within the last 5 years;
  - 3. Has pending criminal charges; or
  - 4. Is on probation or parole at the time of arrest.
- C. If the provisions of this Section do not authorize the release of the person on recognizance, bail shall be as follows:

1. For any Class A misdemeanor, bail shall be \$1,000 surety and \$500 cash;
2. For any Class B misdemeanor, bail shall be \$500 surety and \$500 cash;
3. For any Class C misdemeanor, bail shall be \$500 surety and \$500 cash.

### **SECTION III. MISCELLANEOUS PROVISIONS**

#### **A. Promise to Appear.**

1. Any person, whether released on recognizance or bail for a misdemeanor or felony offense, shall be required to execute a written Promise to Appear in the appropriate court at the designated date and time. The Promise to Appear form shall be immediately forwarded to the appropriate court by the Sheriff.

#### **B. Intoxication.** No person shall be released by the Sheriff of Monroe County, regardless of the provisions of this Order, unless such person clearly manifests a state of sobriety at the time the provisions of this Order would otherwise permit release.

1. The Sheriff shall hold in custody any person who is under the influence of alcohol or controlled substances until such time it is determined, at the Sheriff's discretion, that the individual may be safely released without danger to self or others.
2. When information is available concerning the blood-alcohol content of an intoxicated person due to the administration of blood tests, breath tests, or other chemical tests, no intoxicated person shall be released by the Sheriff except as provided by IC 35-33-1-6.
3. When no information is available concerning the blood-alcohol content of a person charged with operating while intoxicated, such person shall not be released for a period of 24 hours, unless ordered by a judge.
4. When no information is available concerning the blood-alcohol content of a person charged with public intoxication, such person shall not be released for a period of 4 hours, unless ordered by a judge.

#### **C. Battery.** A person arrested on a charge involving battery or domestic battery, shall not be released until 24 hours have elapsed, unless ordered by a judge. The person may then post bail:

1. Pursuant to other sections of this Bail Order; and
2. If the person agrees in writing to initiate no contact with the victim.

Upon refusal to sign a No Contact Agreement, the person shall be held without bail until brought before a judge.

#### **D. Extradition.** Any person extradited to Monroe County shall be held without bail until brought before a judge.

#### **E. Overweight Trucking Violations.** The bail schedule as set out in this Order shall not apply to trucking violations. Bail for such offenses shall be determined pursuant to the provisions of IC 9-20-18-1, et seq.

- F. Combination of Charges. If a person is charged with the commission of more than one offense arising out of a single incident, whether the offenses are felonies or misdemeanors, bail shall be in one amount for all charges, and shall be in the amount established for the most serious offense charged.
- G. Double Bond. The specified surety bond for felonies or misdemeanors shall be doubled in the event the person has a pending case, has been convicted of a felony within the last 5 years, or is a habitual substance offender.
- H. Cash Bond. After normal business hours the Sheriff shall accept a bond made in cash or by certified check and shall issue a receipt. A cash bond must be posted in the name of the Defendant **and the Defendant and each person who makes the deposit on behalf of the Defendant shall agree in writing that the court may retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the Defendant to pay if convicted.** Thereafter, as soon as is practicable, the Sheriff shall deposit the cash or certified check with the Monroe County Clerk.
- I. 10% Cash Deposit or Full Cash Bond. The Clerk or Sheriff may not accept 10% cash deposit or full cash bond in lieu of the bond otherwise required herein except upon express written order of a judge. In the event a 10% cash bond is approved by a Court, the Clerk may retain as a service fee 10% of the amount deposited when the bond is released at the conclusion of the case.
- J. Probation/Parole Hold. A person charged with the commission of a crime while on probation or parole shall be held without bail until brought before a judge.
- K. Release of Bond. No cash bond may be released by the Monroe County Clerk except upon written order of a judge after judgment has been entered and any **costs, fines, fees, and costs and restitution** imposed by the Court have been paid and satisfied.
- L. Amount of Bail on Warrant. If bail is set at a probable cause hearing, the amount of bail set by the judge shall be endorsed upon the arrest warrant and shall supersede conflicting provisions of this order.